UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/628,186	BENAVIDES ET AL.
	Examiner	Art Unit
	Eliza Squires	4156

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 July 2003</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-26</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-26</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>10 October 2006</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>7/28/2003</u>.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The use of the trademark "Visual Basic", "Excel", and "Windows" has been noted

in this application. It should be capitalized wherever it appears and be accompanied by

the generic terminology.

Although the use of trademarks is permissible in patent applications, the

proprietary nature of the marks should be respected and every effort made to prevent

their use in any manner which might adversely affect their validity as trademarks.

2.   The disclosure is objected to because of the following informalities: page 3, line

20 recites the term "where by", it should be corrected to read "whereby".

Appropriate correction is required.

Claim Objections

3.   Claim 21 is objected to because of the following informalities: the claim recites

"may be identify as". The term "identify" should be corrected to read "identified".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

a.   Claim 19 recites the limitation "the application" in line 1 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

6.   Claims 1, 9, and 17 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

a.   The term "detailed" in claim 1 is a relative term which renders the claim

indefinite. The term "detailed" is not defined by the claim, the specification does

not provide a standard for ascertaining the requisite degree, and one of ordinary

skill in the art would not be reasonably apprised of the scope of the invention.

b.   Claim 9 recites the limitation "various math functions" and "custom

algorithms" which are vague and indefinite terms as the claim does not

reasonably disclose what the various math functions and custom algorithms are

and one of ordinary skill in the art would not be reasonably apprised of the scope

of the invention.

c.   Claim 17 discloses "prompt the acceptance of health information…" and

"accept health history…" this is confusing as it seems to require that the only

course of action for the health care provider is to accept, where one would

assume that the healthcare provider would have the option of accepting or not

accepting. Additionally, in the examination of this claim as a method, the method

would be indefinite as it does not disclose a course of action if the healthcare

provider was to not accept the health information.

d.   Claim 17 recites the limitation "and other considerations relevant to treatment of the patient concerned." It is not clear what these "other considerations" may be and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   Claims 8-16 and 26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. These claims are directed to a computer program per se which is non statutory. Examiner will assume these claims to be directed to a method for purposes of examination. Should this be amended to method claims, applicant should be aware that in order for a method to be considered a "process" under 35 U.S.C. 101, a claimed process must either: (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials). *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972). If neither of these requirements is met by the claim, the method is not a patent eligible process under 35 U.S.C. 101 and is nonstatutory subject matter.

9.   Claims 17-23 and 26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed toward a computer program, which is non statutory. Although the claim recites a tie within the preamble, this is insufficient as the tie must be in the body of the claims. In regards to

claim 26, a display on a computer controlled device is considered to be insignificant

post solution activity therefore not a substantive tie. In order for a method to be

considered a "process" under 35 U.S.C. 101, a claimed process must either: (1) be tied

to another statutory class (such as a particular apparatus) or (2) transform underlying

subject matter (such as an article or materials). *Diamond v. Diehr*, 450 U.S. 175, 184

(1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S.

63, 70 (1972). If neither of these requirements is met by the claim, the method is not a

patent eligible process under 35 U.S.C. 101 and is nonstatutory subject matter. The

claims recite no substantive tie to another statutory class in the body of the claims.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11.   **Claims 1 and 8** are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 6,468,210 to *Iliff.*

12.   **As to claim 1,** *Iliff* discloses a computer implemented method for generating a

diagnostic opinion for treatment of a dental patient, comprising the steps of:

providing a detailed series of questions to be asked of a patient (abstract, figure

1 and 34, and column 12 lines 54-67, column 13, and column 14, lines 1-38),

providing a computer having at least one assessment function based on

gathered physical condition and history information for a patient (figure 35, figure 31,

and column 21 lines 1-5)

inputting responses from the patient to such questions into the computer (figure

35 and abstract),

generating in the computer a diagnostic opinion for the patient (abstract, figure

1, and claim 1).

13.   **As to claim 8,** *Iliff* discloses a program for use with a computer in providing

dental care comprising

a user interface for enabling the input of information relative to a dental patient

(abstract, figure 1 and 34, column 4, line 54, and column 12 lines 54-67, column 13, and

column 14, lines 1-38),

a database for assigning points to certain answers and for weighting certain

answers (column 13 lines 45-67 and column 12 lines 1-29),

means for generating a diagnostic opinion for the dental patient (abstract, figure

1, and claim 1).

14.   **Claim 17** is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent

No. 6,047,259 to *Campbell et al.*

15.   **As to claim 17,** *Campbell* discloses a computer program, such program residing

on a computer-readable medium, for health management, comprising instructions for

causing a computer to

prompt the acceptance of health information relative to a patient by a health care

provider (figure 8 and column 16, lines 15-29),

accept health history, medical information and other considerations relevant to

treatment of the patient concerned (figure 8 and column 16, lines 15-29),

utilize at least one algorithm based on the accepted patient information for

generating a diagnostic opinion for that patient (figure 9 and column 16, line 32 through

column 17 line 45).

Claim Rejections - 35 USC § 103

16.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

17.   **Claims 2 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Iliff in view of U.S. Patent Application 2004/0242972 to *Adak et al.*

18.   **As to claim 2,** see the discussion of claim 1, however, *Iliff* does not explicitly

disclose generating a prognosis or assessing risk. *Adak* discloses the method wherein

said diagnostic opinion generating step includes providing both specific and generalized

prognoses relative to the patient as a result of the at least one assessment function

(page 3, paragraph [0032]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff* with *Adak* in order to automatically and quickly provide

information to a patient regarding a prognosis.

19.   **As to claim 3,** see the discussion of claims 1 and 2, additionally, *Adak* discloses
the method wherein said diagnostic opinion generating step includes risk assessing one
or more of the patient's conditions (page 3, paragraph [0032]).

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify *Iliff* with *Adak* in order to automatically and quickly provide
information to a patient regarding risk.

20.   **Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over
Campbell in view of *Adak et al.*

21.   **As to claim 18,** see the discussion of claim 17, however, *Campbell* does not
explicitly disclose risk assessment. *Adak* discloses the computer program wherein said
algorithm utilizing step includes risk assessing the patient's condition (page 3,
paragraph [0032]).

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify *Iliff* with *Adak* in order to automatically and quickly provide
information to a patient regarding risk.

22.   **Claims 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Iliff* in
view of "Special Edition: Using Microsoft Office 2000) by *Bott et al.*

23.   **With respect to claim 9,** see the discussion of claim 8, however, *Iliff* does not
disclose populating a worksheet. *Bott* discloses the computer program wherein said
opinion generating means includes various math functions and custom algorithms to
populate at least one worksheet (page 514).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Iliff* with *Bott* to enable the users to add features to a spreadsheet making the spreadsheet easier to use.

24.   **Claims 10 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Iliff* in view of *Bott* and *Adak.*

25.   **As to claim 10,** see the discussion of claims 8 and 9, however, the references do not explicitly disclose generating a prognosis or assessing risk. *Adak* discloses the computer program wherein said opinion generating means further includes means for generating one or more diagnostic opinions that include specific and generalized prognoses for the patient's conditions (page 3, paragraph [0032]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Iliff* and *Bott* with *Adak* in order to automatically and quickly provide information to a patient regarding a prognosis.

26.   **As to claim 11,** see the discussion of claims 8-10, additionally, *Adak* discloses the computer program wherein said opinion generating means further includes means for risk assessing one or more of the patient's conditions (page 3, paragraph [0032]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Iliff* and *Bott* with *Adak* in order to automatically and quickly provide information to a patient regarding risk.

27.   **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Iliff* in view of *Adak* in further view of *"Perio2003 Apprentice"* website retrieved for the date

12/13/2002 from the website

http://web.archive.org/web/20021213121449/www.perodontist.org.

28.   **As to claim 4,** see the discussion of claims 1-3, however, the references do not

explicitly disclose a list handling function with teeth identified in lists with like teeth.

Perio2003 Apprentice discloses the method wherein the computer providing step

includes providing at least one list-handling function whereby specific teeth may be

identified as occurring in certain lists and be combined with others having like properties

(statistics section).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff* and *Adak* with *Perio2003 Apprentice* in order to help the

practitioner and the patient have a better understanding of factors contributing to overall

oral health.

29.   **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Iliff* in

view of *Bott, Adak,* and *Perio2003 Apprentice.*

30.   **As to claim 12,** see the discussion of claims 8-11, however, the references do

not explicitly disclose a list handling function with teeth identified in lists with like teeth.

Perio2003 Apprentice discloses the computer program wherein the opinion generating

means includes at least on list-handling function where by specific teeth may be

identified as occurring in certain lists and be combined with other having like properties

(statistics section).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Bott* and *Adak* with *Perio2003 Apprentice* in order to help the

practitioner and the patient have a better understanding of factors contributing to overall oral health.

31.   **Claims 19-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Campbell* in view of *Adak et al.* and *Perio2003 Apprentice.*

32.   **As to claim 19,** see the discussion of claim 17-18, however, *Campbell* does not disclose that the application applies to a dental practice or that the questions are regarding dental history or dental treatment. *Perio2003 Apprentice* discloses the computer program wherein the application is to a dental patient by a dentist or a dental practitioner (page 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Campbell* and *Adak* with *Perio2003 Apprentice* in order to implement the system of *Campbell* and *Adak* in a dental practice so that a uniform standard of care is supplied to the patient and to have easily accessible a program to help diagnosis conditions of the patient for improved patient care.

33.   **As to claim 20,** see the discussion of claims 17-19, additionally, *Perio2003 Apprentice* further discloses the computer program wherein the health information inputted concerns one or more of the areas of

    (a) dental history (report section),

    (b) dental concern,

    (c) radiographic analysis (report section),

    (d) supporting structure,

    (e) radiographic temporomandibular joint,

(f) clinical findings of the head and neck (report section),

(g) clinical findings of the temporomandibular joints (report section),

(h) occlusal morphologic general findings,

(i) clinical findings as to tooth structure,

(j) direct restorative,

(k) indirect restorative,

(l) clinical findings for periodontal concerns (report section), and

(m) dentofacial concerns.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Campbell* and *Adak* with *Perio2003 Apprentice* in order obtain clinical or historical information about a patient to make a more informed diagnosis with regard to a dental problem.

34.   **As to claim 21,** see the discussion of claims 17-20, however, the references do not explicitly disclose a list handling function with teeth identified in lists with like teeth. *Perio2003 Apprentice* discloses the computer program wherein the algorithm utilizing step includes at least one list-handling function whereby specific teeth may be identify as occurring in certain lists and be combined with others having like properties (statistics section).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Campbell* and *Adak* with *Perio2003 Apprentice* in order to help the practitioner and the patient have a better understanding of factors contributing to overall oral health.

35.   **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Iliff* in

view of *Adak, Perio2003 Apprentice* and U.S. Patent Application 2001/0032099 to *Joao.*

36.   **As to claim 5,** see the discussion of claims 1-4, however, the references do not

explicitly disclose providing explanatory comments with the diagnosis. *Joao* discloses

the method wherein the diagnostic opinion generating step includes providing one or

more explanatory comments along with the opinion (abstract and page 22 and 23,

paragraph [0295] (where an explanatory comment is a probability or alternatively an

explanatory comment could be a treatment report)).

       It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Adak,* and *Perio2003 Apprentice* with *Joao* so that the patient

and the practitioner will have a better understanding of the diagnosis.

37.   **Claims 6, 7, 13-16, 24 and 25** are rejected under 35 U.S.C. 103(a) as being

unpatentable over *Iliff* in view of *Adak, Perio2003 Apprentice, Bott* and *Joao.*

38.   **With respect to claim 6,** see the discussion of claims 1-5, however, the

references do not explicitly disclose the generation of a report template or a slide

display. *Bott* discloses the method wherein the diagnostic opinion generating step

includes the generation of a report template whereby the height of rows that contain

textual data within merged cells are autofitted (pages 644-645 and 491-492).

       It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Adak, Perio2003 Apprentice, Joao* with *Bott* so that the

computer program can offer more attractive and easier to read formatting to the provider

and the patient.

39.   **With respect to claim 7,** see the discussion of claims 1-6, however, the

references do not explicitly disclose that the questions are regarding dental history or

dental treatment. *Perio2003 Apprentice* discloses the method wherein said question

providing step includes providing a plurality of questions and prompts concerning one or

more of the areas of

  (a) dental history (report section),

  (b) dental concern,

  (c) radiographic analysis (report section),

  (d) supporting structure,

  (e) radiographic temporomandibular joint,

  (f) clinical findings of the head and neck (report section),

  (g) clinical findings of the temporomandibular joints (report section),

  (h) occlusal morphologic general findings,

  (i) clinical findings as to tooth structure,

  (j) direct restorative,

  (k) indirect restorative,

  (l) clinical findings for periodontal concerns (report section), and

  (m) dentofacial concerns.

  It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Adak, Joao,* and *Bott* with *Perio2003 Apprentice* in order obtain

clinical or historical information about a patient to make a more informed diagnosis with

regard to a dental problem.

40.   **As to claim 13,** see the discussion of claims 8-12, however, the references do

not explicitly disclose providing explanatory comments with the diagnosis. *Joao*

discloses the computer program wherein the opinion generating means further includes

means for providing one or more explanatory comments along with the opinion (abstract

and page 22 and 23, paragraph [0295] (where an explanatory comment is a probability

or alternatively an explanatory comment could be a treatment report)).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Adak, Bott,* and *Perio2003 Apprentice* with *Joao* so that the

patient and the practitioner will have a better understanding of the diagnosis.

41.   **As to claim 14,** see the discussion of claims 8-13, however, the references do

not explicitly disclose the generation of a report template or a slide display. *Bott*

discloses the computer program wherein the opinion generating means further includes

means for generating a report template whereby the height of rows that contain textual

data within merged cells are autofitted (pages 644-645 and 491-492).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Adak, Perio2003 Apprentice, Joao* with *Bott* so that the

computer program can offer more attractive and easier to read formatting to the provider

and the patient.

42.   **As to claim 15,** see the discussion of claims 8-14, additionally *Iliff* discloses the

computer program wherein the user interface includes a series of questions and

prompts to be asked of a patient (abstract, figure 1 and 34, and column 12 lines 54-67,

column 13, and column 14, lines 1-38).

43.   **With respect to claim 16,** see the discussion of claims 8-15, however, the

references do not explicitly disclose that the questions are regarding dental history or

dental treatment. *Perio2003 Apprentice* discloses the computer program wherein the

questions and prompts concern one or more of the areas of

(a) dental history (report section),

(b) dental concern,

(c) radiographic analysis (report section),

(d) supporting structure,

(e) radiographic temporomandibular joint,

(f) clinical findings of the head and neck (report section),

(g) clinical findings of the temporomandibular joints (report section),

(h) occlusal morphologic general findings,

(i) clinical findings as to tooth structure,

(j) direct restorative,

(k) indirect restorative,

(l) clinical findings for periodontal concerns (report section), and

(m) dentofacial concerns.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Iliff, Adak, Joao,* and *Bott* with *Perio2003 Apprentice* in order obtain

clinical or historical information about a patient to make a more informed diagnosis with

regard to a dental problem.

44.   **As to claim 24,** see the discussion of claims 1-7, additionally, *Bott* discloses the

method including the step of generating a slide display on a computer-controlled display

device (page 477).

45.   **As to claim 25,** see the discussion of claims 8-16, additionally, *Bott* discloses the

computer program further comprising means for generating a slide display on a

computer-controlled display device (page 477).

46.   **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Campbell in view of *Adak, Perio2003 Apprentice,* and *Joao.*

47.   **As to claim 22,** see the discussion of claims 17-21, however, the references do

not explicitly disclose providing explanatory comments with the diagnosis. *Joao*

discloses the computer program wherein the diagnostic opinion that is generated

includes explanatory comments along with the opinion (abstract and page 22 and 23,

paragraph [0295]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify *Campbell, Adak,* and *Perio2003 Apprentice* with *Joao* so that the

patient and the practitioner will have a better understanding of the diagnosis.

48.   **Claims 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Campbell in view of *Adak* and *Bott.*

49.   **As to claim 23,** see the discussion of claims 17-22, however, the references do

not explicitly disclose the generation of a report template or a slide display. *Bott*

discloses the computer program wherein the diagnostic opinion includes a report

template whereby the height of rows that contain textual data within merged cells are autofitted (pages 644-645 and 491-492).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Campbell* and *Adak* with *Bott* so that the computer program can offer more attractive and easier to read formatting to the provider and the patient.

50.   **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Campbell* in view of *Adak, Perio2003 Apprentice, Joao,* and *Bott et al.*

51.   **As to claim 26,** see the discussion of claims 17-20, however the references do not disclose a slide display, *Bott* discloses the computer program further comprising means for generating a slide display on a computer-controlled display device (page 477).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Campbell, Adak, Perio2003 Apprentice, Joao* with *Bott* in order to improve the ease of conveyance of information from practitioner to patient.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eliza Squires whose telephone number is (571)270-7052. The examiner can normally be reached on Monday through Friday 8 am - 4 pm Eastern Standard Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle can be reached on 571-272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eliza Squires/
Examiner, Art Unit 4156
8/12/08

/Charles R. Kyle/
Supervisory Patent Examiner, Art Unit 4156